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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,952	04/06/2000	Arthur R. Francis	RSW9-2000-0008-US1	7895

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EXAMINER
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VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/08/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/543,952

Applicant(s)

FRANCIS ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Application History*

1. This action is responsive to the application amendment, application amendment filed on 4/13/2004.
2. Applicant has amended the specification in response to the objections cited by the examiner in the *Drawings* and *Specification* sections of the previous Office Action (dated 1/16/2004). Applicant's amendment has addressed all objections previously made and therefore, in view of this amendment, objections to the drawings and specification are withdrawn.
3. Applicant's arguments, see page 10, section II, filed 4/13/2004, with respect to the rejection(s) of claim(s) 1, 6-8, 13-15, 20-22 and 27-28 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hawkins et al. (US Patent 6,343,318) and further in view of Ginter et al. (US Patent 5,892,900) as described below.
4. Applicant's arguments, see page 10, section III, filed 4/13/2004, with respect to the rejection(s) of claim(s) 2-3, 9-10, 16-17 and 23-24 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hawkins, and further in view of Ginter, and further in view of Judson (US Patent 6,185,586) as described below.

5. Applicant's arguments, see page 11, section IV, filed 4/13/2004 with respect to the rejection(s) of claim(s) 4-5, 11-12, 18-19 and 25-26 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hawkins, and further in view of Ginter, and further in view of Ramaley (US Patent 6,585,777) as described below.
6. Claims 1-28 are pending in the case, claims 1, 8, 15 and 22 are independent claims.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*"A person shall be entitled to a patent unless –*

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."*

8. Claims 1, 6-8, 13-15, 20-22 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. US Patent 6,343,318, filed 5/29/1998, patented 1/29/2002 (hereinafter Hawkins) in view of Ginter et al., US Patent 5,892,900, filed 8/30/1996, patented 4/6/1999 (hereinafter Ginter).

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9. **Regarding independent claim 1**, Hawkins recites: *"The proxy server 180 responds to requests by wireless clients 405 to fetch either web content or messaging information. The proxy server 180 carries most of the burden of bringing the information from the Internet 190, converting it to wireless client 405 compatible CTP and CML formats, and transferring it to the wireless client 405 over the wireless network"* (column 261, lines 17-23) and *"The wireless client 405 and the proxy server 180 use a special format for transferring screen 101 contents from the proxy server 180 to the wireless client 405. This format, named Compact Markup Language (CML), emphasizes compactness over readability and generally uses variable length binary bit fields instead of text to represent options and formatting information"* (column 21, lines 33-40). Hawkins further recites: *"CGI (Common Gateway Interface) scripts can be supported. CGI scripts are used by the web server 140 to respond to form submissions by browsers and for customizing web content for a particular user. When the browser 104 requests a web document that corresponds to a CGI script, the browser 104 can append text parameters to the end of the base document URL. The proxy server 180 will parse the parameters out"* (column 13, lines 44-51) and *"Alternatively, the wireless applications can standalone applications access through the browser 104. The applications can be C programs, JAVA programs, and/or compressed markup language (CML) or HTML pages"* (column 9, lines 34-37). Hawkins also recites: *"The wireless application 106 represents one of many predefined applications that are stored locally on the wireless communications device 100"* (column 9, lines 15-17).

Hawkins discloses transforming a Java proxy server file application into a pervasive computing device compatible file, where the server will parse specific elements out during the conversion process. Hawkins also discloses storing the transformed file. Hawkins fails to disclose the masking and unmasking of specific tags in the conversion process. Ginter teaches the use of masking tags. Ginter recites: "*UDEs 1200 are preferably encrypted using a site specific key once they are loaded into a site. This site-specific key masks a validation tag*" (column 150, lines 35-37).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the masking of tags as taught by Ginter with the transformation of files for pervasive computing devices as taught by Hawkins in order to "*maintain the integrity, availability, and/or confidentiality of such information and processes related to such use*" (Ginter, column 1, lines 13-15).

10. **Regarding independent claims 8, 15 and 22**, the claims are directed toward an apparatus, a computer program and a system (respectively) for the method of claim 1, and are rejected using the same rationale.
11. **In regard to dependent claims 6-7, 13-14, 20-21 and 27-28**, the claims are rejected for fully incorporating the deficiencies of their base claims.
12. Claims 2-3, 9-10, 16-17 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins in view of Ginter and further in view of Judson US Patent 6,185,586 (filed 4/6/1998, patented 2/6/2001).

13. **In regard to dependent claims 2 and 3**, Hawkins discloses transforming a Java proxy server file application into a pervasive computing device compatible file, where the server will parse specific elements out during the conversion process. Hawkins also discloses storing the transformed file. Hawkins and Ginter disclose masking as described above. Hawkins and Ginter fail to disclose masking by use of comment tags. Judson teaches the use of comments tags to mask. Judson recites: *"Preferably, the information object is masked by an HTML comment tag, which may include other HTML tags nested therein to format the information in the object"* (column 3, lines 2-3).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the transformation of files for pervasive computing devices by masking tag as taught by Hawkins and Ginter with the comment masking of Judson so that *"the information is preferably "hidden" within the web page using a hypertext markup comment tag"* (Judson, column 2, lines 58-59).

14. **Regarding dependent claims 9-10, 16-17 and 23-24**, the claims are directed toward an apparatus, a computer program and a system (respectively) for the method of claims 2-3, and are rejected using the same rationale.
15. Claims 4-5, 11-12, 18-19 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins in view of Ginter and further in view of Ramaley et al. US Patent 6,585,777, filed 1/19/1999, patented 7/1/2003 (hereinafter Ramaley).

16. **In regard to dependent claim 4 and 5**, Hawkins discloses transforming a Java proxy server file application into a pervasive computing device compatible file, where the server will parse specific elements out during the conversion process. Hawkins also discloses storing the transformed file. Hawkins and Ginter disclose masking as described above. Hawkins and Ginter fail to disclose storing with a unique file name or file extension. Ramaley discloses *"Assign Unique Identifier Comprising Fixed String and Unique Instance Number"* at reference 620 in Fig. 6. Ramaley teaches the use of unique file naming

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to add the file naming of Ramaley to the transformation of files for pervasive computing devices by masking tag as taught by Hawkins and Ginter to provide the benefit of *"placing information in a primary file that provides a cue"* (Ramaley, column 3, lines 7-8).

17. **In regard to independent claims 11-12, 18-19 and 25-26**, the claims are directed toward an apparatus, a computer program and a system (respectively) for the method of claims 4-5, and are rejected using the same rationale.



***Conclusion***

18. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent</u>	<u>Date</u>	<u>Inventor</u>
• US-6,072,598	06-2000	Tso, Michael Man-Hak
• US-6,334,126	12-2001	Nagatomo et al.
• US-6,336,124	01-2002	Alam et al.
• US-6,336,137	01-2002	Lee et al.
• US-6,356,905	03-2002	Gershman et al.
• US-6,401,085	06-2002	Gershman et al.
• US-6,430,624	08-2002	Jamtgaard et al.
• US-6,507,857	01-2003	Yalcinalp, L. Umit
• US-6,590,588	07-2003	Lincke et al.

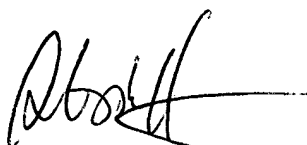
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
June 22, 2004



STEPHEN S. HONG  
PRIMARY EXAMINER